

Amendment under 37 CFR 1.111
Serial No. 09/425,736
Attorney Docket No. 991176

REMARKS

Claims 1, 3-12 and 14-22 are pending in the present application. By this Amendment, claims 1 and 12 have been amended. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated May 4, 2005.

35 U.S.C. §112, Second Paragraph, Rejection:

Claims 1, 3 - 12 and 14-22 stand rejected under 35 U.S.C §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

This rejection is respectfully traversed.

It is submitted that the present invention does not aim at responding to a request for authentication of the requester himself by accessing the service providing system. The service providing system generally has a configuration in which a user ID and organic information are registered in advance, and an authentication to permit use is given to the user by collating these pieces of information. Instead, in contrast, the present invention relates to an illegal access discriminating apparatus for detecting an illegal access to a service providing apparatus, which detects the illegal access in a stage prior to biometrics authentication (user ID) + organic) of the usual service providing system.

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Therefore, independent claims 1 and 12 have been amended to emphasize the role of the storing units to more clearly delineate that the inputted pieces of biometrics information sequentially serve as biometrics information to be compared next. Simultaneously with this, when the result of comparison of ID-biometrics inputted in the past and the latest inputted ID-biometrics satisfies predetermined conditions more than a prescribed number of times, it is determined that there is an illegal access.

As such, it is submitted that claims 1 and 12 have been amended to overcome this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

As To The Merits:

As to the merits of this case, the Examiner relies on the newly cited reference of Subbiah et al. (U.S. Patent No. 6,035,403) in setting forth the following rejections:

- 1) claims 1, 5 and 12 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Pare (of record) in view of Subbiah; and
- 2) claims 2-4, 6-11, and 14-22 are rejected under 35 USC §103(a) as being unpatentable over Pare and Subbiah in view of Gressel (of record).

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Each of these rejections is respectfully traversed.

Independent claims 1 and 12, as amended, stress that the present invention is directed to an illegal access discriminating apparatus arranged in an authentication system of a service providing system, wherein pieces of inputted biometrics information sequentially serve as biometrics information compared next, and when the result of comparison of ID-biometrics inputted in the past and the latest inputted ID-biometrics satisfies predetermined conditions more than a prescribed number of times, it is determined that an illegal attack has occurred.

In contrast, according to col. 12, lines 49-51 of Pare, "Parties that wish to either originate or receive electronic checks must first register with the tokenless authorization system."

As such, in Pare, the biometrics information database to be compared to has to register in advance biometrics information of the user prior to the use of the apparatus.

In the biometrics information database of the present invention to be compared, in contrast, pieces of biometrics information inputted upon use of the apparatus, i.e., upon confirmation of the user, are sequentially recorded in the database.

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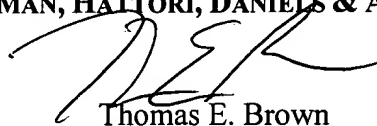
In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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